



U.S. Department of Justice

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November 15, 2012

Christa Berry, Clerk
U.S. District Court
202 Harlow Street
Bangor, ME 04401

Re: Jose Duran v. United States
Crim. No. 03-cr-00113-DBH; Civ. 12-cv-00201-DBH

Dear Ms. Berry:

Government's response in the above-entitled case was filed on November 13, 2012. I would appreciate your assistance in bringing to the Court's attention the following recent 1st Circuit case: Bruce Turner v. United States, Nos. 11-1884 and 1885, slip op. (1st Cir. November 13, 2012). That opinion is relevant to one of the arguments addressed in the Government's response.

Thank you for your assistance.

Sincerely,

THOMAS E. DELAHANTY II
United States Attorney

/s/ Margaret D. McGaughey

Margaret D. McGaughey
Appellate Chief

cc: Jose Duran